



**L&C Committee**

- J. Quiñonez, Chair
- L. McKenney, V. Chair
- R. Atwater
- M. Camacho
- D. Dear
- L. Dick
- J. Murray
- F. Steiner
- Y. Tu
- R. Wunderlich

**Legal and Claims Committee**

Meeting with Board of Directors\*

**November 10, 2015**

**9:00 a.m. -- Room 2-145**

Tuesday, November 10, 2015 Meeting Schedule		
7:00-8:00 a.m.	Rm. 1-101	Dir's. Computer Training
9:00 a.m.	Rm. 2-145	L&C
10:30 a.m.	Rm. 2-456	OP&T
12:00 p.m.	Board Room	Board Meeting

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**MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012**

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\* The Metropolitan Water District's Legal and Claims Committee meeting is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to the Legal and Claims Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to the Legal and Claims Committee will not vote on matters before the Legal and Claims Committee.

1. **Opportunity for members of the public to address the committee on matters within the committee's jurisdiction** (As required by Gov. Code Section 54954.3(a))
  
2. **Approval of the Minutes of the meeting of the Legal and Claims Committee held October 13, 2015**
  
3. **CONSENT CALENDAR ITEMS — ACTION**

None

**4. OTHER BOARD ITEMS — ACTION**

- 8-7 Report on existing litigation: *Shimmick Construction Company, Inc./Obayashi Corporation, a Joint Venture v. The Metropolitan Water District of Southern California*, LASC Case No. BC559603; and authorize increase of maximum amount payable under contract with (1) Hunt Ortmann Palffy Nieves Darling & Mah, Inc. for legal services by \$500,000 to an amount not to exceed \$600,000, and (2) Pacific Consultants Construction, Inc. for consulting services by \$250,000 to an amount not to exceed \$500,000 (Approp. 15389). (L&C)  
**[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]**

**5. BOARD INFORMATION ITEMS**

None

**6. COMMITTEE ITEMS**

- a. General Counsel's report of monthly activities
- b. Report on *San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.*, San Francisco County Superior Court Case Nos. CPF-10-510830, CPF-12-512466 and CPF-14-514004  
**[Conference with legal counsel—existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)]**
- c. Discussion of Department Head Performance and Goal Setting  
**[Public employee's performance evaluations – General Counsel; to be heard in closed session pursuant to Gov. Code Section 54957]**

**7. FOLLOW-UP ITEMS**

None

**8. FUTURE AGENDA ITEMS**

**9. ADJOURNMENT**

**NOTE:** At the discretion of the committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the committee.

This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <http://www.mwdh2o.com>.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.